This application has been reviewed in light of the Office Action mailed on July 31, 2009. Claims 1-22 are pending in the application with Claims 1, 5, 12, and 16 being in independent form. By the present amendment, Claims 1, 5, 9, 12, 16, and 20 have been amended. Support for the amendments can be found throughout Applicants' specification, such as in FIGS. 1 and 3 and at least at page 9, line 22 to page 10, line 16. No new matter or issues are believed to be introduced by the amendments.

Claims 12-22 were rejected under 35 U.S.C. §101 as allegedly not falling within one of four categories of inventions. Applicants have amended independent Claims 12 and 16 to comply with the Examiner's request. Claims 13-15 and 17-22 depend from Claims 12 and 16, respectively, and thus include all the features of their respective independent Claims. Accordingly, Applicants respectfully request that the 101 rejection be withdrawn.

Claims 1-22 were rejected under 35 U.S.C. §102(e) as being anticipated by Limberg et al. (U.S. Patent No. 6,768,517).

Claim 1, as amended herein, recites, *inter alia*, as follows:

> "...wherein the encoder includes **a data encoder for encoding the data bit stream and a parameter encoder for encoding the parameter bit stream**... (Emphasis added.)

Limberg fails to disclose and/or suggest "...wherein the encoder includes a data encoder for encoding the data bit stream and a parameter encoder for encoding the parameter bit stream," as recited in amended independent Claim 1.

As understood by Applicants, Limberg teaches DTV signals transmitted over the air with a symbol rate of around 10.76 million samples per second that include echo-

cancellation reference (ECR) signals each of which includes or essentially consists of a repetitive-PN1023 sequence with baud-rate symbols, which repetitive-PN1023 sequence incorporates a number of consecutive data-segment synchronization signals. Receivers for the DTV signals respond to these ECR signals to generate initial weighting coefficients for adaptive filters used for channel equalization and echo suppression. (Abstract)

Specifically, at column 9, lines 50-63, Limberg states that the "byte-to-nibble converter 07 is connected to supply this nibbles stream to a trellis encoder 08, which performs 2/3 rate trellis coding of the type prescribed in A/53. The trellis encoder 08 is connected to supply its trellis-coded output signal to an 8-level symbol mapper 09 of the type prescribed in A/53." In other words, there is only one input stream and only one encoder.

In the present disclosure, as seen in FIG. 1 and described throughout the specification, there are two input streams and two encoders. Specifically, there is a parameter bit stream 124 and a data bit stream 128. The parameter bit stream 124 is encoded by the parameter encoder 132 and the data bit stream 128 is encoded by the data encoder 120. In other words, in the present disclosure and as recited in the amended claims, two separate and distinct encoders are used to encode different types of input data/streams.

Limberg clearly does not teach and/or suggest such a configuration, as further illustrated in FIG. 4 where a single Trellis encoder 08 is presented for a single data stream.

Accordingly, amended independent Claim 1 is believed to be distinguishable from Limberg for at least the reasons described above.

Amended independent Claims 5, 12, and 16, are substantially similar to amended independent Claim 1, and, due to such similarities, are also believed to be distinguishable from Limberg for at least the reasons described above.

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Claims 2-4, 6-11, 13-15, and 17-22 depend from one of independent Claims 1, 5, 12, and 16, and, at least due to such dependency, are believed to be distinguishable from Limberg for at least the reasons described above with regard to independent Claims 1, 5, 12, and 16.
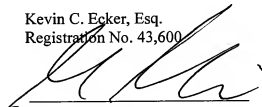
Accordingly, the withdrawal of the rejection under 35 U.S.C. §102(e) with respect to Claims 1-22 and allowance thereof are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all Claims presently pending in the application, namely, Claims 1-22, are believed to be in condition for allowance.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact the undersigned.

Respectfully submitted,

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